

IPW

Attorney Docket No. A-70345-1/RBC/VEJ  
Attorney Matter No. 467127-00023  
Application No. 10/759,575

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Max W. DURNEY**

Application No. 10/759,575

Filed: **January 16, 2004**

For: **JOINERY MEMBER AND  
FASTENER AND PROCESS AND  
APPARATUS FOR PLACEMENT OF  
THE FASTENER**

Art Unit: **Prior: 2619**

Examiner: **Prior: Shelley M. Self**

Docket No.: **A-70345-1/RBC/VEJ**

*Certificate of Mail (37 C.F.R. § 1.8(a))  
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*Patricia A. Diehl*  
Patricia A. Diehl

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P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.


This Application relies on the earlier filing date of prior Application No. 09/919,182, filed July 30, 2001 and now abandoned, under 35 U.S.C. § 120. It is understood that the Examiner will consider information that was submitted to or cited by the Office in such prior applications. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2). Copies of documents previously submitted to or cited by the Office in the prior application are not required to be provided in this application and thus are not attached. 37 C.F.R. § 1.98(d).

- ☒ A copy of each reference cited on the accompanying substitute for form PTO-1449A/PTO was submitted to or cited by the Office in the above-mentioned applications, thus a copy of such references is not required nor is attached.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 467127-00023; Docket No. A-70345-1/RBC/VEJ).

Respectfully submitted,

Date: 6/8/2004

By:   
Victor E. Johnson, Reg. No. 41,546  
/for/ Robert B. Chickering, Reg. No. 24,286  
Filed Under 37 C.F.R. § 1.34(a)

DORSEY & WHITNEY LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete if Known**

Application Number **10/759,575**  
 Filing Date **January 16, 2004**  
 First Named Inventor **Max W. Durney**  
 Group Art Unit **Prior: 2619**  
 Examiner Name **Prior: Shelley M. Self**  
 Attorney Docket Number **A-70345-1/RBC/VEJ**

 Sheet **1** of **1**
**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	3,664,011	05/23/1972	Labastrou	
	A2	4,603,719	08/05/1986	Durney	
	A3	4,909,012	03/20/1990	Thompson, Jr. et al.	
	A4	4,944,627	07/31/1990	Durney	
	A5	5,063,982	11/12/1991	Durney	
	A6	5,553,645	09/10/1996	Durney	
	A7				
	A8				
	A9				
	A10				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	A11					
	A12					
	A13					
	A14					
	A15					

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A16		
	A17		
	A18		
	A19		
	A20		

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

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